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Attorney for Plaintiff
GLADYS DEWITT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GLADYS DEWITT,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, SAN FRANCISCO
GENERAL HOSPITAL, JAMES
MOORE, and DOES 1 – 25,

Defendants.

Case No. Case No. 07-3791 PJH

PLAINTIFF'S CASE MANAGEMENT
STATEMENT

Hearing Date: 8/14/2008
Time: 2:30 p.m.
Place: Courtroom 3, 17th Floor
Judge: Honorable Phyllis J. Hamilton

Plaintiff submits this Case Management Statement and requests the Court to adopt it as its Case Management Order in this case.

I. JURISDICTION AND SERVICE

The parties agree that the Court has jurisdiction over plaintiffs' claims in this action pursuant to 28 U.S.C. §1331 and 42 U.S.C. §1983. The parties agree that the Court has jurisdiction over the parties to this action pursuant to 29 U.S.C. §1391(b).

Defendant the City and County of San Francisco has been served and has answered the Second Amended Complaint for Damages. Defendant James Moore has not been served. San Francisco General Hospital is a City department, and thus cannot be sued separate and apart from the City and County of San Francisco.

II. FACTS

The facts and legal issues with regards to the substance of the case remain the same. There have been no changes since the last Case Management Conference. A mediation was held on June 2, 2008. During the mediation, the parties reached a settlement that was confirmed in writing pending a formal written settlement agreement and release. On June 19, 2008, this Court issued a conditional order of dismissal contingent upon the processing of the settlement within 60 days. The only issue now is resolving the delay in finalizing the settlement and accelerating the settlement process. It is plaintiff's position that by this time, more than two months later, we should have had approval from the board regarding the agreement. We request that this Court order the process to be completed by a certain date.

III. AMENDMENT OF PLEADINGS

Neither party currently intends to amend the pleadings.

IV. DISCLOSURES

The parties have completed their Initial Disclosures and the issues to be decided are well formulated by the mediation process.

V. DISCOVERY

No discovery has taken place since the last Case Management Conference as the parties reached a settlement.

VI. CLASS ACTION

Not applicable.

VII. RELATED CASES:

There are no related cases pending in this court.

VIII. RELIEF:

At this time, plaintiff requests the Court's assistance in finalizing the settlement agreement.

1 **IX. SETTLEMENT AND ADR:**

2 The parties attended a mediation on June 2, 2008 and reached a settlement of this matter after
3 an all day session.

4 **X. SERVICE LIST:**

5 **FOR PLAINTIFFS:**

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10 **FOR DEFENDANT:**

11 Rose-Ellen H. Fairgrieve
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15 Tel: (415) 554-3845
16 Fax: (415) 554-4248

17 DATED: August 7, 2008

PREMIER LAW GROUP PLLC

18 By: /s/ Darryl Parker

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20 Darryl Parker, SBN. 95914
21 Attorney for Plaintiff
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